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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,129	04/21/2004	Chung-I Wang	386998051US	5438

25096 7590 04/07/2008
PERKINS COIE LLP
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EXAMINER

NGUYEN, DUNG T

ART UNIT	PAPER NUMBER
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2871

MAIL DATE	DELIVERY MODE
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04/07/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/829,129	Applicant(s) WANG ET AL.	
	Examiner Dung Nguyen	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6,10,11,13-15,17,18,21-26,28 and 30-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,10,11,13-15,17,18,21-26,28 and 30-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/01/2007 has been entered.
2. Applicants' amendment dated 09/28/2007 has been received and entered. By the amendment, claims 1-2, 4-6, 10-11, 13-15, 17-18, 21-26, 28 and 30-34 are now pending in the application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-6, 10-11, 13-15, 17-18, 21-26, 28 and 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu, US Patent No. 6,549,257, in view of Takeda et al., US Patent No. 6,724,452.

Regarding the above claims, Liu discloses a liquid crystal display (LCD) device (figures 2-4) comprising:

. two substrates (408 and 409);

. a lower substrate including a multi domain pattern (202/301/421-423) as claimed, pixel electrode (405), a plurality of transistor (i.e., thin film transistor TFT) inherently forming in the LCD device for driving purposes, wherein a multi domain pattern composed of a frame pattern (i.e., peripheral portion) and a pixel dividing pattern/contact pattern (i.e., inside portions)

. an upper substrate including a plurality of strip patterns (303/411-414) as claimed, a common electrode (406)

. a liquid crystal layer (407);

. two polarizers (401 and 402).

Liu neither discloses the frame pattern and the pixel dividing arranged over the first substrate (i.e., upper substrate) nor the strip patterns having a slit structure.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a frame pattern and a pixel dividing structure over the upper substrate instead of over the lower substrate, since it has been held that rearranging parts of an invention involves only routine skill in the art as well as it would be equivalent of a multi domain pattern (e.g., frame/dividing pattern) and a strip pattern (dividing pattern only) for their use in the LCD art and the selection of any of these known equivalents to function of multi-domains display would be within the level of ordinary skill in the art.

In addition, Takeda et al. do disclose that a strip patterns can be formed as a bump and/or slit structure (see figures 12A-12C). Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to employ the Liu's strip patterns having slit structures as shown by Takeda et al., since it is a common practice in the art and the use of the protrusion

(bump) and/or slit would be interchangeable in order to align liquid crystal molecules (i.e., forming a multi domain).

Response to Arguments

5. Applicant's arguments filed 09/28/2007 have been fully considered but they are not persuasive.

Applicants' only argument is that the references teach away from the invention and no motivation to combine the references since the technical feature of the invention shows that a bump and a slit are not interchangeable. The Examiner respectfully disagrees with Applicant's viewpoint. In particular, the bump (e.g., strip pattern) does form over the common substrate. the difference from the Applicants' invention is the shape of the bump (framing shape from the bump formed over the common substrate and/or slit shape for the strip pattern formed over another substrate); and one of ordinary skill in the art would be able to merely find how to use a strip pattern with a different shape for the same multi-domain display purposes. It should also be noted that, although the invention strip pattern might not be interchangeable, there is nowhere in the both references, Liu and Takeda et al., restrict to interchange the shape of the strip pattern(s); therefore, the combination of Liu and Takeda et al. would not be teach away and such combination would result the claimed invention as well.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 571-272-2297. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on 571-272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DN
03/31/2008

/Dung T. Nguyen/
Dung Nguyen
Primary Examiner
Art Unit 2871